

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1279, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 3, delete lines 22 through 24, begin a new paragraph and
2 insert:
3 "SECTION 5. IC 9-13-2-75, AS AMENDED BY P.L.262-2013,
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2014]: Sec. 75. "Identification number" for purposes of
6 ~~IC 9-17-4-18; has the meaning set forth in IC 9-17-4-18.~~ **means a set**
7 **of numbers, letters, or both numbers and letters that is assigned to**
8 **a motor vehicle or motor vehicle part by:**
9 **(1) a manufacturer of motor vehicles or motor vehicle parts;**
10 **or**
11 **(2) a governmental entity to replace an original identification**
12 **number that is destroyed, removed, altered, or defaced."**
13 Page 11, between lines 19 and 20, begin a new paragraph and insert:
14 "SECTION 36. IC 9-19-9-7, AS AMENDED BY P.L.54-2009,
15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2014]: Sec. 7. A person who

1 ~~(1) violates this chapter; or~~

2 ~~(2) violates 49 U.S.C. 32709 (as in effect January 1, 1995)~~

3 commits a deceptive act and is subject to a civil penalty of not more
4 than one thousand five hundred dollars (\$1,500) for each violation in
5 addition to other remedies available under this chapter and IC 24-5-0.5.
6 The attorney general, acting in the name of the state, has the exclusive
7 right to petition for recovery of such a penalty, and the penalty may be
8 recovered only in an action brought under IC 24-5-0.5-4(c)."

9 Page 13, between lines 19 and 20, begin a new paragraph and insert:

10 "SECTION 45. IC 9-21-4-2 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) The Indiana
12 department of transportation shall place and, except as otherwise
13 provided in this section **and IC 8-23-2-15**, maintain traffic control
14 devices conforming to the state manual and specifications upon all
15 state highways, including the state maintained routes through a city or
16 town, as necessary to indicate and to carry out this article or to regulate,
17 warn, or guide traffic.

18 (b) A local authority may not place or maintain a traffic control
19 device upon a highway in the state highway system or the state
20 maintained routes through a city or town until the authority has
21 received written permission from the Indiana department of
22 transportation.

23 (c) If the department determines, upon the basis of an engineering
24 and traffic investigation, that any traffic control signal is not necessary
25 for the safe, convenient, economical, and orderly movement of traffic,
26 the signal shall be removed by the Indiana department of transportation
27 and be returned to the authority responsible for the signal's erection. If
28 the Indiana department of transportation determines, based on an
29 engineering and traffic investigation, that a traffic control signal now
30 in place is necessary for the safe, convenient, economical, and orderly
31 movement of traffic, the signal must remain in place, and the Indiana
32 department of transportation shall affix a tag or seal to the signal
33 showing that the signal has been approved by the Indiana department
34 of transportation."

35 Page 14, line 25, reset in roman "misdemeanor".

36 Page 14, line 25, delete "infraction".

37 Page 17, line 30, after "department," insert "**including a volunteer**
38 **fire department**".

- 1 Page 25, reset in roman line 37.
- 2 Page 25, line 38, reset in roman "(2)".
- 3 Page 25, line 38, delete "(1)".
- 4 Page 25, line 40, reset in roman "(3)".
- 5 Page 25, line 40, delete "(2)".
- 6 Page 28, line 37, delete "issued under IC 9-24-16".
- 7 Page 28, line 37, after "issued" insert "**under IC 9-24**".
- 8 Page 28, delete lines 39 through 42.
- 9 Page 29, delete lines 1 through 2.
- 10 Page 29, between lines 6 and 7, begin a new paragraph and insert:
- 11 "SECTION 81. IC 9-24-8-6 IS REPEALED [EFFECTIVE JULY 1,
- 12 2014]. ~~Sec. 6: In addition to any other penalty, the bureau:~~
- 13 ~~(1) shall revoke the motorcycle learner's permit of a person who~~
- 14 ~~is convicted of operating a motorcycle under the influence of~~
- 15 ~~alcohol; and~~
- 16 ~~(2) may not issue a motorcycle learner's permit or motorcycle~~
- 17 ~~endorsement to a person referred to in subdivision (1) for at least~~
- 18 ~~(1) year after the date of the person's conviction."~~
- 19 Page 29, line 10, delete "IC 9-24-16" and insert "**IC 9-24**".
- 20 Page 29, line 13, delete "IC 9-24-16" and insert "**IC 9-24**".
- 21 Page 30, line 3, strike "at least ninety (90) days and".
- 22 Page 31, line 38, delete "license" and insert "**privileges**".
- 23 Page 43, delete lines 24 through 26, begin a new paragraph and
- 24 insert:
- 25 "SECTION 117. IC 9-29-9-14 IS AMENDED TO READ AS
- 26 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. The fee for a
- 27 ~~restricted~~ **specialized** driving **privilege** permit issued under IC 9-24-15
- 28 is ten dollars (\$10).".
- 29 Page 43, line 34, strike "reasonable" and insert "**probable**".
- 30 Page 43, delete lines 38 through 42, begin a new paragraph and
- 31 insert:
- 32 "SECTION 119. IC 9-30-4-1, AS AMENDED BY P.L.85-2013,
- 33 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2014]: Sec. 1. **(a)** Upon any reasonable ground appearing on
- 35 the records of the bureau **and specified in rules adopted under**
- 36 **subsection (b)**, the bureau may do the following:
- 37 (1) Suspend or revoke the current driving privileges or driver's
- 38 license of any person.

- 1 (2) Suspend or revoke the certificate of registration and license
- 2 plate for any motor vehicle.
- 3 **(b) The bureau shall adopt rules under IC 4-22-2 to specify**
- 4 **reasonable grounds for suspension or revocation permitted under**
- 5 **subsection (a)."**
- 6 Page 44, delete lines 1 through 2.
- 7 Page 44, line 36, reset in roman "(b) The bureau shall suspend or
- 8 revoke".
- 9 Page 44, line 36, after "hearing" reset in roman "the".
- 10 Page 44, reset in roman lines 37 through 42.
- 11 Page 45, reset in roman lines 1 through 3.
- 12 Page 45, line 6, after "(4)" insert "(3)".
- 13 Page 45, line 6, reset in roman "Three (3) charges of criminal
- 14 recklessness involving the use".
- 15 Page 45, reset in roman line 7.
- 16 Page 45, line 8, after "(5)" insert "(4)".
- 17 Page 45, line 8, reset in roman "Failure to stop and give information
- 18 or assistance or failure to".
- 19 Page 45, reset in roman lines 9 through 11.
- 20 Page 45, line 17, reset in roman "(c)".
- 21 Page 45, line 17, delete "(b)".
- 22 Page 45, line 40, delete "(c)" and insert "(d)".
- 23 Page 46, line 1, strike "(d)" and insert "(e)".
- 24 Page 47, line 41, strike "(e)" and insert "(f)".
- 25 Page 48, line 2, strike "(f)" and insert "(g)".
- 26 Page 48, line 13, strike "(g)" and insert "(h)".
- 27 Page 48, line 21, strike "(h)" and insert "(i)".
- 28 Page 49, line 39, strike "probationary" and insert "**specialized**".
- 29 Page 50, line 5, strike "probationary" and insert "**specialized**".
- 30 Page 50, line 7, strike "probationary" and insert "**specialized**".
- 31 Page 50, line 8, strike "probationary" and insert "**specialized**".
- 32 Page 50, line 11, strike "probationary" and insert "**specialized**".
- 33 Page 50, line 17, strike "probationary" and insert "**specialized**".
- 34 Page 53, line 7, strike "probationary" and insert "**specialized**".
- 35 Page 53, line 8, strike "probationary" and insert "**specialized**".
- 36 Page 55, between lines 16 and 17, insert "**(9) Resisting law**
- 37 **enforcement under IC 35-44.1-3-1."**

- 1 Page 55, line 17, delete "(9)" and insert "(10)".
- 2 Page 67, line 24, reset in roman "operates a".
- 3 Page 67, reset in roman lines 25 through 26.
- 4 Page 67, line 27, reset in roman "or IC 9-12-3-1 (repealed July 1,
- 5 1991)".
- 6 Page 68, between lines 4 and 5, begin a new paragraph and insert:
- 7 "SECTION 141. IC 9-30-13-1 IS REPEALED [EFFECTIVE JULY
- 8 1, 2014]. Sec. 1: For a person who uses a motor vehicle to commit
- 9 recklessness under IC 35-42-2-2, the judge of the court in which the
- 10 person is convicted shall recommend that the driving privileges of the
- 11 person be suspended for not less than sixty (60) days and not more than
- 12 two (2) years. If the court fails to recommend a fixed term of
- 13 suspension, or recommends a fixed term that is less than the minimum
- 14 term required by statute, the bureau shall impose the minimum period
- 15 of suspension required under this section.
- 16 SECTION 142. IC 9-30-13-2 IS REPEALED [EFFECTIVE JULY
- 17 1, 2014]. Sec. 2: For a person who uses a motor vehicle to commit
- 18 obstruction of traffic under IC 35-44.1-2-13, the judge of the court in
- 19 which the person is convicted may recommend that the driving
- 20 privileges of the person be suspended for not less than sixty (60) days
- 21 and not more than two (2) years. If the court recommends a fixed term
- 22 of suspension that is less than the minimum term required by statute,
- 23 the bureau shall impose the minimum period of suspension under this
- 24 section.
- 25 SECTION 143. IC 9-30-13-3 IS REPEALED [EFFECTIVE JULY
- 26 1, 2014]. Sec. 3: For a person who uses a motor vehicle to commit
- 27 criminal mischief under IC 35-43-1-2, the judge of the court in which
- 28 the person is convicted may recommend that the driving privileges of
- 29 the person be suspended for not less than sixty (60) days and not more
- 30 than two (2) years. If the court recommends a fixed term of suspension
- 31 that is less than the minimum term required by statute, the bureau shall
- 32 impose the minimum period of suspension under this section.
- 33 SECTION 144. IC 9-30-13-4 IS REPEALED [EFFECTIVE JULY
- 34 1, 2014]. Sec. 4: (a) If a person commits any of the following offenses;
- 35 the court that convicted the person shall recommend the suspension of
- 36 the person's driving privileges for a fixed period of at least two (2)
- 37 years and not more than five (5) years:
- 38 (1) Involuntary manslaughter resulting from the operation of a

- 1 motor vehicle (IC 35-42-1-4);
- 2 (2) Reckless homicide resulting from the operation of a motor
- 3 vehicle (IC 35-42-1-5);
- 4 (b) If the court fails to recommend a fixed term of suspension; or
- 5 recommends a fixed term that is less than the minimum term required
- 6 by statute; the bureau shall impose the minimum period of suspension
- 7 required under this section."
- 8 Page 68, strike line 26.
- 9 Page 68, line 27, strike "under".
- 10 Page 68, line 27, delete "IC 9-30-16".
- 11 Page 68, line 27, strike "if the person otherwise qualifies".
- 12 Page 68, strike lines 28 through 34.
- 13 Page 68, strike line 42.
- 14 Page 69, strike lines 1 through 2.
- 15 Page 69, line 3, strike "of suspension in accordance with the".
- 16 Page 69, line 3, delete "order".
- 17 Page 69, line 3, strike "of the".
- 18 Page 69, line 4, strike "court."
- 19 Page 71, line 7, delete "section," and insert "**chapter**,".
- 20 Page 72, line 12, delete "The suspension of driving privileges under
- 21 this" and insert "**Except as provided in subsection (b), the following**
- 22 **are ineligible for a specialized driving permit under this chapter:**
- 23 (1) A person who has never had a valid Indiana driver's
- 24 license.
- 25 (2) A person who holds a commercial driver's license.
- 26 (3) A person who has refused to submit to a chemical test
- 27 offered under IC 9-30-6."
- 28 Page 72, delete line 13, begin a new paragraph and insert:
- 29 "**(b) This chapter applies to an individual who:**
- 30 (1) held a commercial driver's license at the time the
- 31 individual committed an offense for which the operation of a
- 32 motor vehicle was an element of the offense;
- 33 (2) no longer holds a commercial driver's license; and
- 34 (3) subsequently was issued an operator's license, chauffeur's
- 35 license, or public passenger chauffeur's license."
- 36 Page 72, line 14, delete "(b)" and insert "(c)".
- 37 Page 72, line 19, delete "(c)" and insert "(d)".
- 38 Page 72, line 24, delete "(d)" and insert "(e)".

- 1 Page 73, between lines 3 and 4, begin a new paragraph and insert:
 2 **"(c) If a court fails to suspend a person's driving privileges for**
 3 **at least one (1) year under this section, the bureau shall suspend**
 4 **the person's driving privileges for one (1) year."**
 5 Page 73, line 23, delete "SR-16" and insert **"proof of future**
 6 **financial responsibility"**.
 7 Page 73, line 29, delete "law enforcement officer." and insert
 8 **"police officer."**
 9 Page 83, between lines 4 and 5, begin a new paragraph and insert:
 10 **"(d) A person required to be licensed under this chapter that**
 11 **fails to register in accordance with the schedule set forth in**
 12 **subsection (a) commits a Class A infraction."**
 13 Page 101, line 29, after "1." insert "(a)".
 14 Page 101, line 29, delete "motor".
 15 Page 101, line 30, delete "motor".
 16 Page 101, line 31, delete "motor vehicle, motor vehicle" and insert
 17 **"vehicle, vehicle"**.
 18 Page 101, between lines 38 and 39, begin a new paragraph and
 19 insert:
 20 **"(b) A person who counterfeits or falsely reproduces a**
 21 **certificate of title for a motor vehicle, semitrailer, or recreational**
 22 **vehicle with intent to:**
 23 **(1) use the certificate of title; or**
 24 **(2) permit another person to use the certificate of title;**
 25 **commits a Class B misdemeanor."**
 26 Page 102, line 29, strike "driver's license" and insert **"driving**
 27 **privileges"**.
 28 Renumber all SECTIONS consecutively.
 (Reference is to HB 1279 as introduced.)

and when so amended that said bill do pass.

Representative Soliday